

AO 241 (Rev. 09/17)

**PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF  
HABEAS CORPUS BY A PERSON IN STATE CUSTODY**

United States District Court		District:	
Name (under which you were convicted):  RALPH BLEVINS		1 : 22	Docket or Case No.: CV 1135
Place of Confinement : CLEVELAND OHIO (ON PAROLE)		Prisoner No.: 211-850	
Petitioner (include the name under which you were convicted) RALPH BLEVINS;		Respondent (authorized person having custody of petitioner) v. OHIO ADULT PAROLE AUTHORITY	
The Attorney General of the State of: DAVE YOST		JUDGE KNEPP	

**MAG. JUDGE BAUGHMAN FILED**

**PETITION**

JUN 27 2022

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

1. (a) Name and location of court that entered the judgment of conviction you are challenging:  
COURT OF COMMON PLEAS (CUYAHOGA COUNTY, OHIO)
- (b) Criminal docket or case number (if you know): CR-88-225807-B
2. (a) Date of the judgment of conviction (if you know):
- (b) Date of sentencing: JUNE 5, 1989
3. Length of sentence: 10 to 25 YEARS
4. In this case, were you convicted on more than one count or of more than one crime? ☐ Yes ☐ No
5. Identify all crimes of which you were convicted and sentenced in this case: 291101 AGGARATED ROBBERY W/SPECIFICATIONS (2 COUNT); 2903.11 (FELONIOUS ASSAULT W? SPECIFICATIONS (2 COUNTS); 2923.24 POSSESSION CRIMINAL TOOLS (2 CTS) 2913. HAVING WEAPON WHILE UNDER DISABILITY
6. (a) What was your plea? (Check one)
 

☒ (1) Not guilty  
☐ (2) Guilty

☐ (3) Nolo contendere (no contest)  
☐ (4) Insanity plea

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(b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to? N/A

(c) If you went to trial, what kind of trial did you have? (Check one)

☒ Jury ☐ Judge only

7. Did you testify at a pretrial hearing, trial, or a post-trial hearing?

☐ Yes ☐ No

8. Did you appeal from the judgment of conviction?

☒ Yes ☐ No

9. If you did appeal, answer the following:

(a) Name of court: COURT OF APPEALS CUYAHOGA COUNTY, OHIO

(b) Docket or case number (if you know): \_\_\_\_\_

(c) Result: VACATED 3 YEAR FIREARMS SPECIFICATION

(d) Date of result (if you know): APRIL 1992

(e) Citation to the case (if you know): RAEPH BLEVINS vs STATE OF OHIO

(f) Grounds raised: 3 YEAR FIREARMS SPECIFICATIONS ILLEGALLY ADDED TO SENTENCE

(g) Did you seek further review by a higher state court? ☐ Yes ☒ No

If yes, answer the following:

(1) Name of court: N/A

(2) Docket or case number (if you know): N/A

(3) Result: N/A

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(4) Date of result (if you know): \_\_\_\_\_

(5) Citation to the case (if you know): \_\_\_\_\_

(6) Grounds raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_(h) Did you file a petition for certiorari in the United States Supreme Court? ☐ Yes ☒ No

If yes, answer the following:

(1) Docket or case number (if you know): \_\_\_\_\_

(2) Result: \_\_\_\_\_  
\_\_\_\_\_

(3) Date of result (if you know): \_\_\_\_\_

(4) Citation to the case (if you know): \_\_\_\_\_

10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court? ☒ Yes ☐ No

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court: COURT OF COMMON PLEAS (TRUMBULL COUNTY, OHIO)(2) Docket or case number (if you know): 2017 CV 716(3) Date of filing (if you know): CANT REMEMBER(4) Nature of the proceeding: STATE WRIT OF HABEAS CORPUS(5) Grounds raised: PRISON SENTENCE FOR CRIME COMMITTED 02/23/1988EXPIRED IN APRIL OF 2013. SENTENCE HAD EXPIRED WHEN I WASBROUGHT BACK TO THE OHIO PENAL SYSTEM VIA THE OHIO ADULTDETAINDER WARRANT FROM THE FEDERAL PENAL SYSTEM ON JULY 182016. PLUS INCARCERATED VIA THE "WARRANT" UNTIL PAROLED ONAUGUST 15, 2019. SINCE I AM ON PAROLE TO THE OHIO ADULTPAROLE AUTHORITY UNTIL THE YEAR OF 2030 AMOUNTS TO A"CUSTODY" THATS ILLEGAL AND UNCONSTITUTIONAL. ON 08/15/2019I HAD DID 31 YEARS AND 4 MONTHS ON A 25 YEARS PRISON SEN.

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No(7) Result: N/A

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(8) Date of result (if you know): N/A

(b) If you filed any second petition, application, or motion, give the same information:

(1) Name of court: N/A(2) Docket or case number (if you know): N/A(3) Date of filing (if you know): N/A(4) Nature of the proceeding: N/A(5) Grounds raised: N/A

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No(7) Result: N/A(8) Date of result (if you know): N/A

(c) If you filed any third petition, application, or motion, give the same information:

(1) Name of court: N/A(2) Docket or case number (if you know): N/A(3) Date of filing (if you know): N/A(4) Nature of the proceeding: N/A(5) Grounds raised: N/A

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(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No(7) Result: PH

(8) Date of result (if you know): \_\_\_\_\_

(d) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?

(1) First petition: ☒ Yes ☐ No(2) Second petition: ☐ Yes ☐ No(3) Third petition: ☐ Yes ☐ No

(e) If you did not appeal to the highest state court having jurisdiction, explain why you did not:

N/A

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

**CAUTION:** To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

GROUND ONE: MY STATE OF OHIO SENTENCE EXPIRED IN APRIL OF 2013

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

STATE OF OHIO PRISON SENTENCE BEGAN ON 02/23/1988 (EXHIBIT A) I WAS ON SENTENCE IN 1989. (EXHIBIT B) ON 06/08/1998 I WAS DECLARED A PAROLE VIOLATOR (EXHIBIT C) ON JUNE 12, I WAS ARRESTED BY 2 FIELD AGENTS OF THE OHIO ADULT PAROLE AUTHORITY. (EXHIBIT D) FOR THE VIOLATION I WAS GIVEN 4 DAYS LOSS TIME OFF THE SENTENCE. (EXHIBIT E) ON JUNE 30, 1999 THE OHIO ADULT PAROLE AUTHORITY MANDATED THAT I WAS A PAROLE VIOLATOR

(b) If you did not exhaust your state remedies on Ground One, explain why: \_\_\_\_\_

GROUND ONE (continued): IN CUSTODY EXHIBIT F "OFFICIALLY" I WAS IN "CUSTODY" THE DATE (JUNE 12, 1998) THE DATE THE FIELD OFFICERS ARRESTED ME AND THE DAYS LOSS TIME (sic) is LEGALLY ACCURATE. BUT IF ONE IS TO RELY ON THE JUNE 30, 1999 DATE THE ADULT PAROLE AUTHORITY MANDATED I WAS INCUSTODY: THIS IS STILL ONLY A LOSS OF 1 YEAR AND DAYS OFF THE 22 DAYSOFF THE 25 YEAR SENTENCE. GIVING ME MAXIMUM EXPIRATION DATE OF MARCH OF 2014.

<sup>BASED</sup> ON A FEDERAL COURT DECISION <sup>THAT</sup> I AM NOT ALLOWED TO CITE AT THIS TIME...THE TIME I SPENT IN THE FEDERAL PENAL SYSTEM FOR THE CRIME THAT LED TO THE OHIO PAROLE VIOLATION. THE TIME I SPENT IN THE FEDERAL PENSYSYSTEM COUNTED AGAINST THE STATE SENTENCE SINCE: WHILE ALL THE TIME I WAS INCACERATED IN THE FEDERAL PENAL SYSTEM; THE OHIO ADULT PAROLE AUTHORITY HAD ITS DETAINER WARRANTR LODGED AGAIST ME UPON MY RELEASE FROM THE FEDERAL PENAL SYSTEM; HAD ITS "AGENT" PICK ME UP ON JULY 18, 2016 AND RETURNED TO THE STATE OF OHIO PENAL SYSTEM: WHERE I REMAINED UNTIL I WAS RELEASED ON PAROLE AUGUST 15, 2019.

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(c) **Direct Appeal of Ground One:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

☒ Yes☐ No(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☒ Yes☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: WRIT OF HABEAS CORPUSName and location of the court where the motion or petition was filed: COURT OF COMMON PLEAS-GENERAL DIVISION-TRUMBULL, COUNTY OHIODocket or case number (if you know): 2017 CV 716Date of the court's decision: AUG 03 2017Result (attach a copy of the court's opinion or order, if available): EXHIBIT G  
\_\_\_\_\_  
\_\_\_\_\_

(3) Did you receive a hearing on your motion or petition?

☐ Yes☐ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: OHIO SUPREME COURT19-1039

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One: \_\_\_\_\_

**GROUND TWO:** \_\_\_\_\_

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

(b) If you did not exhaust your state remedies on Ground Two, explain why: \_\_\_\_\_

(c) **Direct Appeal of Ground Two:**

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_



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Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two : \_\_\_\_\_

**GROUND THREE:** \_\_\_\_\_

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

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(b) If you did not exhaust your state remedies on Ground Three, explain why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) **Direct Appeal of Ground Three:**

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_  
\_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_  
\_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_  
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(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

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(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three: \_\_\_\_\_

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**GROUND FOUR:** \_\_\_\_\_

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

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(b) If you did not exhaust your state remedies on Ground Four, explain why: \_\_\_\_\_

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(c) **Direct Appeal of Ground Four:**

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why: \_\_\_\_\_

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(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

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Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: \_\_\_\_\_

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13. Please answer these additional questions about the petition you are filing:

- (a) Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction? ☐ Yes ☐ No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them:

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- (b) Is there any ground in this petition that has not been presented in some state or federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them:

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14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition? ☐ Yes ☐ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available.

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15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging? ☐ Yes ☐ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.

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16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing: \_\_\_\_\_

(b) At arraignment and plea: \_\_\_\_\_

(c) At trial: \_\_\_\_\_

(d) At sentencing: \_\_\_\_\_

(e) On appeal: \_\_\_\_\_

(f) In any post-conviction proceeding: \_\_\_\_\_

(g) On appeal from any ruling against you in a post-conviction proceeding: \_\_\_\_\_

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? ☐ Yes ☒ No

(a) If so, give name and location of court that imposed the other sentence you will serve in the future: \_\_\_\_\_

(b) Give the date the other sentence was imposed: \_\_\_\_\_

(c) Give the length of the other sentence: \_\_\_\_\_

(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future? ☒ Yes ☐ No

18. TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.\*

I AM ON PAROLE FOR THE JUDGMENT OF CONVICTION



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- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant the following relief: RELEASE FROM PAROLE SINCE  
SENTENCE UNDER PRISON NUMBER EXPIRED IN APRIL OF 2013

or any other relief to which petitioner may be entitled.

N/A

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on N/A  
06/10/2022 (month, date, year).

Executed (signed) on 6/10/2022 (date).

Raph Blum

Signature of Petitioner

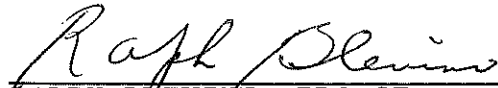
If the person signing is not petitioner, state relationship to petitioner and explain why petitioner is not signing this petition.



CERTIFICATE OF SERVICE

I hereby swear that a copy of the foregoing Writ was placed in the US. Mail on this 22 day of June 2022 and mailed to Ms. Alicia Handwerk, Chair, Ohio Adult Parole Authority, 4545 Fisher Road, Columbus, Ohio 43228.

I hereby swear under the penalty of perjury tha the foregoing is true and correct.

A handwritten signature in cursive script, reading "Ralph Blevins", is written over a horizontal line.

RALPH BLEVINS, PRO SE  
1817 Garfield Road #307  
East Cleveland, OH 43112-4548